Amendment dated October 21, 2003

Reply to the Office Action dated April 21, 2003

Docket No.: 7207-210

<u>REMARKS</u>

Claims 1-69 appear in this application for the Examiner's review and consideration.

Applicants respectfully request reconsideration of this application.

The Examiner objected to the drawings under 37 CFR 1.83(a) because they fail to

identify "The Authentidate server 906" as described in the specification. Accordingly, applicants

propose a drawing correction to include Authentidate server 906 in Figures 1 and 3 by clarifying

that engine 960 is also referred to as the Authentidate server 906. This amendment is supported

in the specification which states at page 8, lines 4-6 that "[t]he Authentidate server 906 may

maintain all of the software and hardware to perform the service, which may be referred to

generally as the engine 960." Accordingly, the proposed amendment to the drawings is

supported by the specification and does not add new matter. It is respectfully requested that the

Examiner's objection to the drawings be withdrawn.

The Examiner rejected claims 1-60 and 66-69 under 35 U.S.C. 102(e) as being

anticipated by U.S. Patent No. 6,327,656 to Zabetian for the reasons set forth in item 3 of the

Office Action. Applicants respectfully traverse these rejections.

Independent claim 1 recites, inter alia, "recognizing an occurrence of an event of a

computer system" and "in response to said occurrence of said event, performing a digital

signature routine on said at least one digital file" and "creating a time stamp" and "sending said

digital signature and said time stamp to a remote location" and "wherein a user on said computer

system does not need to perform any act exclusive to the method in order to cause the method to

automatically execute."

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With respect to claims 1, 23, 41, 43, 45-46, 66 and 68, the Examiner states that Zabetian

teaches "Recognizing an occurrence of an event on a computer system" that corresponds to a

request to certify an electronic document (col. 6, lines 14-17), that Zabetian teaches "Sending

said digital signature and said time stamp to a remote location" (Fig. 3, element 316, col. 4 line

65 - col. 5, line 4, col. 9, lines 29-65), and that "the user 'does not need to perform any act

exclusive to the method in order cause the method to automatically execute" and the system will

automatically locate the document if the user is a registered user. (Fig. 1, Fig. 2A-2B, col. 4,

lines 4-24).

With respect to claim 1, applicant respectfully submits that Zabetian does not teach a

method for registering at least one digital file that "recogniz[es] an occurrence of an event on a

computer system" and "wherein a user on said computer system does not need to perform any act

exclusive to the method in order to cause the method to automatically execute" as recited.

According to the presently claimed invention, the user of the computer does not need to perform

any act in order to register a digital file and the registration of a digital file automatically takes

place upon the occurrence of a pre-specified event.

In contrast, Zabetian does not teach a method of automatically registering a file. Instead,

Zabetian is directed to a method that requires the user to submit a request to the certification

provider if the user desires to certify a document. See, e.g. col. 6, lines 13-16 ("A party may

request certification . . . ") and col. 6, lines 21-22 ("Preferably, certification requests are made

using electronic mail"). Thus, Zabetian does not teach or suggest automatic file registration

upon the occurrence of some event on a computer system (e.g., every time a document is saved

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in a word processor program) but instead teaches that the user him or herself must determine if

and when to register a document and then the user him or herself must send the request and

document to the certification provider. See, e.g., col. 2, lines 2-4 ("The certification provider

receives the party's request for certification, along with the electronic document to be certified").

Applicant further respectfully submits that Zabetian does not teach the step of "sending

said digital signature and said time stamp to a remote location" as recited in claim 1. According

to the presently claimed invention, a digital signature routine is performed on at least one digital

file and a time stamp corresponding to the time in which it was submitted is created. The digital

signature and time stamp are then sent to a remote location.

In contrast, Zabetian does not teach sending the digital signature and time stamp to a

Instead, in Zabetian, the digital signature of the document is stored or remote location.

maintained by certification provider 200 (Col. 4, line 65 - col. 5, line 1) and is not sent to a

remote location. Moreover, Zabetian indicates that only the identification code (and not the

digital signature or other information) are transmitted to the party making the request for

certification. (Col. 5, lines 2-4).

In addition, applicant respectfully submits that element 316 in Figure 3 cited by the

Examiner does not disclose sending the digital signature and time stamp to a remote location but

merely refers to sending "Registration Information" to a client on how to become a registered

user of the certification provider if he or she is not a registered member. (See Figure 3, item

306). Applicant further respectfully submits that element col. 9, lines 29-65 does not disclose

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sending the digital signature and time stamp to a remote location but indicates that a timestamp

serial number will be returned to the user.

Accordingly, applicant respectfully submits that the claimed invention of independent

claim 1 is not anticipated by Zabetian and further respectfully requests that the claim rejection

under 35 U.S.C. 102 with respect to claim 1 be withdrawn for the foregoing reasons.

Independent claim 23 recites, inter alia, "recognizing an occurrence of an event of a

computer system" and "in response to said occurrence of said event, sending at least one digital

file to a remote location for creation of a digital signature and authenticating time stamp" and

"wherein a user on the computer system does not need to perform any act exclusive to the

method in order to cause the method to automatically execute." Applicants respectfully submits

that Zabetian does not disclose these claim limitations for the same reasons that applicants

submit Zabetian does not disclose similar limitations in claim 1 and further respectfully requests

that the claim rejection under 35 U.S.C. 102 with respect to claim 23 be withdrawn

Independent claim 41 recites, inter alia, "recognizing an occurrence of an event of a

computer system" and "in response to said occurrence of said event ... performing a digital

signature routine on said at least one digital file" and "sending said at least one digital file to a

remote location for creation of a digital signature and authenticating time stamp" and "wherein a

user on said computer system does not need to perform any act exclusive to the method in order

to cause the method to automatically execute." Applicants respectfully submits that Zabetian

does not disclose these claim limitations for the same reasons that applicants submit Zabetian

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does not disclose similar limitations in claim 1 and further respectfully requests that the claim

rejection under 35 U.S.C. 102 with respect to claim 41 be withdrawn.

Independent claim 43 recites, inter alia, "receiving at a server remote to a computer

system a digital signature corresponding to said at least one digital file, said digital signature

having been created on said computer system in response to an event at said computer system"

and "determining a time stamp corresponding to the time of receipt of said digital signature" and

"wherein a user on said computer system does not need to perform any act exclusive to the

method in order to cause the method to automatically execute."

Applicants respectfully submits that Zabetian does not disclose these claim limitations for

the same reasons that applicants submit Zabetian does not disclose similar limitations in claim 1

and further submit that Zabetian does not disclose receiving at a server remote to a computer

system a digital signature that has been created on the computer system in response to an event.

Instead, Zabetian indicates that the digital signature of the document is generated by the

certification provider 200 and a digital signature is not received. See, e.g., col. 2, lines 2-6 ("The

certification provider receives the party's request for certification, along with the electronic

document to be certified. To perform certification, a unique digital signature is extracted from

the electronic document"). Accordingly, applicants further respectfully requests that the claim

rejection under 35 U.S.C. 102 with respect to claim 43 be withdrawn.

Independent claim 45 recites, inter alia, "receiving at a remote server said at least one

digital file, said at least one digital file having been sent from a computer system in response to

an event at said computer system" and "performing a digital signature routine on said at least one

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digital file" and "determining a time stamp corresponding to the time of receipt" and "wherein a

user on said computer system does not need to perform any act exclusive to the method in order

to cause said computer system to send said at least one digital file." Applicants respectfully

submits that Zabetian does not disclose these claim limitations for the same reasons that

applicants submit Zabetian does not disclose similar limitations in claim 1 and further

respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to claim 45 be

withdrawn

Independent claim 66 recites, inter alia, "recognize an occurrence of an event of a

computer system" and "in response to said occurrence of said event, perform a digital signature

routine on said at least one digital file" and "create a time stamp" and "send said digital signature

and said time stamp to a remote location" and "wherein a user on said computer system does not

need to perform any act exclusive to the method in order to cause the method to automatically

execute." Applicants respectfully submits that Zabetian does not disclose these claim limitations

for the same reasons that applicants submit Zabetian does not disclose similar limitations in

claim 1 and further respectfully requests that the claim rejection under 35 U.S.C. 102 with

respect to claim 66 be withdrawn

Independent claim 68 recites, inter alia, "perform a digital signature routine on at least

one digital file . . . wherein said at least one digital file was sent from a computer system in

response to an event at said computer system" and "determine a time stamp corresponding to the

time of receipt" and "wherein a user on said computer system does not need to perform any act

exclusive to the method in order to cause said computer system to send said at least one digital

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file." Applicants respectfully submits that Zabetian does not disclose these claim limitations for

the same reasons that applicants submit Zabetian does not disclose similar limitations in claim 1

and further respectfully requests that the claim rejection under 35 U.S.C. 102 with respect to

claim 68 be withdrawn

The examiner also indicated in item 3 of the Office action that dependent claim 46 is

anticipated by Zabetian. Claim 46 depends on claim 45 and further recites, inter alia, "receiving

... a user key, and wherein ... a digital signature routine on said at least one digital file and said

user key" is performed. Applicants respectfully submit that the Examiner has not identified the

disclosure of this limitation in the Office Action and that Zabetian does not teach performing a

digital signature routine on a digital file and a user key but instead indicates that a digital

signature is extracted from the electronic document. (Col. 2, lines 4-6). Applicants respectfully

submits that Zabetian does not anticipate claim 46 for this reason and, because claim 46 depends

from claim 45, for the additional reasons that claim 45 is not anticipated by Zabetian as

discussed above.

Dependent claims 2 and 24 depend on claims 1 and 23 respectively and recite "wherein

said occurrence of said event is the execution of a command in a third party software program

maintained on said computer system." Claims 3 and 25 depend on claims 2 and 24 respectively

and recite "wherein said occurrence of said event a specified number of occurrences of said

execution of said command in said third party software program." Claims 4 and 26 depend on

claims 2 and 24 respectively and disclose "wherein said occurrence of said event is the saving of

a document in a word processing program."

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With respect to claims 2-4 and 24-26, the Examiner states in item 3 of the Office Action

that "'[a] third party software program' corresponds to a third user that needs to verify the

document . . ." (Fig 1) and that "said event is the execution of a command in a third party

software program' corresponds to the verification request of a specified number of documents

that occurs on the recipients." Applicants respectfully submit that Zabetian does not teach

automatic registration of a digital file upon occurrence of an event that is the execution of a

command in a third party software program (e.g., upon the saving of a document in a Word

Processing program) according to the presently claimed invention of claims 2 and 24. Instead,

Zabetian indicates that the user him or herself must make the verification request.

With respect to claims 3 and 25, applicants further respectfully submit that the Examiner

has not identified any disclosure in Zabetian in which the occurrence of the event which

automatically registers the digital file is a specified number of occurrences of the execution of

the command in the third party program (e.g., every forth time a document is saved in a word

processing program).

With respect to claims 4 and 26, applicants further respectfully submit that Zabetian does

not disclose the occurrence of the event causing the digital file to be automatically registered to

be the saving of a document in a word processing program. Applicant respectfully submits the

sentence in column 6, lines 16-19 relied on by the Examiner does not disclose this limitation but

merely states that electronic document itself can include "text, graphics, sound, music, sketches,

and video clips" and includes no disclosure about automatically registering a digital file upon the

occurrence of the event of saving a document in a word processing program.

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Accordingly, applicants respectfully submit that the claimed invention of dependent

claims 2-4 and 24-26 are not anticipated by Zabetian and further respectfully request that the

claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing

reasons.

Claims 5 and 27 depend on claims 1 and 23 respectively and recite, inter alia, "wherein

said occurrence of said event is the passage of a specified amount of time." Claims 6 and 28

depend on claims 1 and 23 respectively and recite, inter alia, "wherein said occurrence of said

event is a specified time of day." The Examiner indicated in item 3 of the Office Action that

because the time stamp shows exactly the time of day that the document was submitted, this

corresponds to the "specified time of day."

Applicants respectfully submit that Zabetian does not disclose automatically registering a

digital file upon recognizing a specified time of day or upon recognizing the passage of a

specified amount of time. Instead, Zabetian indicates that a document will be certified upon a

request sent from a user. Although Zabetian mentions that the date and time of the certification

may be included in the certification information, a method of registering a digital file upon

recognition of the passage of a specified amount of time or a specified time of day is not taught.

Accordingly, applicants respectfully submit that the claimed invention of dependent

claims 5-6 and 27-28 are not anticipated by Zabetian and further respectfully request that the

claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing

reasons.

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Claims 7, 29 and 47 depend on independent claims 1, 23 and 25 respectively and recite, inter alia, "wherein said at least one digital file is a class of digital files." Claims 8, 30, and 48

depend from claims 7, 29 and 47 respectively and recite, inter alia, "wherein said class of digital

files is identified by a filename extension." Claims 9, 31, and 49 depend from claims 7, 29 and

47 respectively and recite, inter alia, "wherein said class of digital files is identified by a storage

location of said computer system." Claims 10, 32, and 50, depend from claims 7, 29 and 47

respectively and recite, inter alia, "wherein said class of digital files is identified by a project

designation at said computer system." Claims 11, 33 and 51, depend from claims 7, 29 and 47

respectively and recite, inter alia, "wherein member digital files of said class of digital files are

digital files that have been modified during a period of time."

The Examiner indicated in item 3 of the Office Action with respect to claims 7-11, 29-33

and 47-51 that "[s]aid at least one digital file is a class of digital files' and 'is identified by a

filename extension or project designation" (Col. 4, lines 15-20). Applicants respectfully submit

that Zabetian does not disclose automatic registration of a class of digital files upon recognizing

an occurrence of an event (e.g., automatically registering all documents that are identified by

specific filename extension at a specified time such as at the end of each business day). Instead,

column 4, lines 15-20 merely indicates that a document on a floppy disk may be certified. In

Zabetian, the user makes a request for a certification of a certain document. Zabetian does not

teach automatic registration of classes of documents. Applicant further respectfully submits that

the specific limitations recited in claims 8-11, 30-33, 48-51 are not disclosed in Zabetian and the

Examiner has not identified these limitations in Zabetian.

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Accordingly, applicants respectfully submit that the claimed invention of dependent

claims 7-11, 29-33, and 47-51 are not anticipated by Zabetian and further respectfully requests

that the claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the

foregoing reasons.

Claims 12 and 52 depend from claims 1 and 45 respectively and recite, inter alia,

"receiving a receipt, the receipt including said time stamp, said digital signature, and an identifier

of said at least one digital file." Claims 14, 36 and 54 depend from claims 1, 23 and 45

respectively and recite, inter alia, "wherein said time stamp includes a number representing a

quantity of units of measure of time from a predetermined point in time." Claims 15, 37 and 55

depend on claims 14, 36 and 54 respectively and recite, inter alia, "wherein said number

represents a quantity of seconds from a predetermined point in time."

The Examiner indicated in item 3 of the Office Action that the limitations in claims 12-

15, 34-37, 52-55 are disclosed in column 9, lines 53-65. Applicants respectfully submit that

Zabetian does not disclose a receipt that includes a digital signature and an identifier of the

document as recited in claims 12 and 52. Instead, the disclosure in column 9, lines 53-65 relied

upon by the Examiner indicates that only a Timestamp Serial Number is included. Also, column

9, lines 53-65 do not teach a time stamp including a number representing a quantity of units of

measured from a predetermined point in time as recited in claims 14, 15, 36, 37, 54 and 55.

Instead, the message includes merely indicates the time of day and the date and not a number

representing a quantity of units measured from a predetermined point in time.

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Accordingly, applicants respectfully submit that the claimed invention of dependent

claims 12, 14, 15, 36, 37, 52, 54 and 55 are not anticipated by Zabetian. Claims 13, 35 and 53

depend from claims 1, 23 and 45 respectively and are not anticipated for at least the reasons

claims 1, 23 and 45 are not anticipated as discussed above. Accordingly, applicants respectfully

requests that the claim rejection under 35 U.S.C. 102 with respect to claims 12-15, 34-37 and 52-

55 be withdrawn for the foregoing reasons.

The Examiner indicated in item 3 of the Office Action that claims 16-19, 42 and 56-59

are anticipated by Zabetian. Applicant respectfully submits that because claims 16-19 depend

from claim 1, claim 42 depends from claim 41 and claims 56-59 depend from claim 45, these

claims are not anticipated for at least the reasons claims 1, 41 and 45 are not anticipated as

discussed above. Accordingly, applicants respectfully requests that the claim rejection under 35

U.S.C. 102 with respect to claims 16-19, 42 and 56-59 be withdrawn for the foregoing reasons.

Claim 44 depends from claims 43 and recites, inter alia, "receiving at said remote server

a user key and creating a second digital signature based on said user key and first said digital

signature." Claim 69 depends on claim 68 and recites, inter alia, "performing a digital signature

routine on said at least one digital file and a user key to obtain a digital signature of said at least

one digital file and said user key." Claims 67 depends on claim 66 and recites, inter alia,

"wherein said plurality of instructions further includes instructions which, when executed by a

processor, causes said processor to send a user key to said remote location."

With respect to claims 44 and 69, applicant respectfully submits that the Examiner has

not identified any disclosure in Zabetian including the limitations in these claims in the Office

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Action and that Zabetian does not teach performing a digital signature routine on a digital file

and a user key but instead indicates that a digital signature is extracted from the electronic

document. (Col. 2, lines 4-6). With respect to claim 67, applicants respectfully submit that the

Examiner has not identified any disclosure in Zabetian including the limitation recited in this

claims and that Zabetian does not teach automatic registration of a digital file in which the

plurality of instructions cause the processor to send a user key to the remote location. In

Zabetian, the user himself must make the request for certification of a document.

Accordingly, applicants respectfully submit that the claimed invention of dependent

claims 44, 67 and 69 are not anticipated by Zabetian and further respectfully requests that the

claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing

reasons.

Claims 20, 38 and 60 depend from claims 1, 23 and 45 respectively and recite, inter alia,

"wherein said event is determined by a function call from a function from a software developer's

kit." The Examiner indicated in item 3 in the Office Action that Zabetian discloses this in Figure

3 where the function call is determined by the system to verify if the user is registered and

located the document. Applicant respectfully submits Zabetian does not teach the recited

function call of claims 20, 38 and 60 which depend on claims 1, 23 and 45 respectively that

recite that the user need not perform any act exclusive to the method in order to register the

digital file. In Figure 3, registration is not automatic. Instead, the certification process is only

started if the user him or herself sends a request and document to the certification provider to

certify the document.

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Accordingly, applicants respectfully submit that the claimed invention of dependent

claims 20, 38 and 60 are not anticipated by Zabetian and further respectfully requests that the

claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing

reasons.

Claims 21 and 39 depend on claims 1 and 23 respectively and recite "wherein said

occurrence of said event is an operation modifying a digital file on said computer system."

Claims 22 and 40 depend on claims 1 and 23 respectively and recite "wherein said occurrence of

said event is an operation upon a digital file on said computer system."

The examiner indicated in item 3 of the Office Action that these limitations correspond to

the operation of a client that wants to verify a document. (Col. 5, lines 5-8). Applicants

respectfully submit that the recited limitations do not correspond to this disclosure in Zabetian

and that Zabetian does not teach automatic registration of a digital file upon occurrence of an

event that is either upon a user modifying a digital file on the computer system or upon there

being an operation upon a digital file on the computer system (e.g., upon the saving of a

document in a Word Processing program). Instead, Zabetian indicates that the user him or

herself must make the verification request.

Accordingly, applicants respectfully submit that the claimed invention of dependent

claims 21, 22, 39 and 40 are not anticipated by Zabetian and further respectfully requests that the

claim rejection under 35 U.S.C. 102 with respect to these claims be withdrawn for the foregoing

reasons.

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The Examiner also rejected claims 61-65 under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent No. 6,327,656 to Zabetian and in view of U.S. Patent Not. 6,021,491 to Renaud

for the reasons set forth in item 4 of Office Action. Applicants respectfully traverse these

rejections.

Applicants respectfully submit that because claims 63 and 64 ultimately depend from

claim 45, claims 63 and 64 are not rendered obvious for at least the reasons claims 45 is not

anticipated as discussed above. Accordingly, applicants respectfully requests that these claim

rejections under 35 U.S.C. 103 with respect to claims 63 and 64 be withdrawn.

Claim 61 depends from claim 45 and recites, inter alia, "wherein steps (b) and (c) are

performed a plurality of times to create a plurality of digital signatures and a plurality of digital

time stamps" and "performing a digital signature routine on said plurality of digital signatures

and said plurality of digital time stamps to obtain a superhash digital signature." Claim 62

depends from claim 61 and recites, inter alia, "sending said superhash digital signature to another

server."

The Examiner acknowledges that Zabetian fails to disclose the recited function in claims

61 and 62 but states that Renaud discloses a method to obtain a digital signature for data streams,

that includes plurality of files, each file having different digital signature and time stamp. (Fig.

Applicant respectfully submits that Renaud does not teach 3a-3b, col. 6, line 40-64).

"performing a digital signature routine on said plurality of digital signatures and said plurality of

digital time stamps to obtain a superhash digital signature." Renaud merely states that "[d]ata

structure 300 includes a signature file 302" (col. 6, lines 42-43) and does not teach applying a

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digital signature routine on a plurality of digital signatures and time stamps already obtained to

further obtain a superhash digital signature. Renaud further does not teach "sending said

superhash digital signature and said time stamp corresponding to said time of creation of said

superhash signature to another server" as recited in claim 62 and applicants respectfully submit

that the Examiner has not identified any such teaching.

Applicants respectfully submit that for these reasons and for the additional reason that

claims 61 and 62 ultimately depend from claim 45 which applicants submit is not anticipated for

the reasons stated above, claims 61 and 62 are not rendered obvious under 35 U.S.C. 103(a) over

Zabetian in view of Renaud. Accordingly, applicants respectfully requests that these claim

rejections under 35 U.S.C. 103 with respect to claims 61 and 62 be withdrawn.

Claim 65 depends on claim 64 and ultimately depends from claim 45 and recites, inter

alia, "receiving at said remote server a user key, and wherein said performing a digital signature

routine on said at least second digital file is performing a digital signature routine on said second

at least one digital file and said user key." Applicants respectfully submit that the Examiner has

not identified the disclosure of this limitation in the Office Action and that Zabetian does not

teach performing a digital signature routine on a digital file and a user key but instead indicates

that a digital signature is extracted from the electronic document. (Col. 2, lines 4-6). Applicant

further respectfully submits that the Examiner has not identified any disclosure in Renaud

teaching the claim limitation in claim 64 notwithstanding that claim 64 was rejected as being

unpatentable over Zabetian in view of Renaud. Accordingly, applicants respectfully submit that

neither Zabetian nor Renaud, either alone or in combination, anticipate or render obvious claim

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64 for this reason and, because claim 64 ultimately depends from claim 45, for the additional

reasons that claim 45 is not anticipated by Zabetian as discussed above.

In view of the foregoing, applicants therefore respectfully submit that the rejection of

claims 1-60 and 66-69 under 35 U.S.C. 102(e) and the rejection of claims 61-65 under 35 U.S.C.

103(a) have been overcome. Claims 1-69 are believed to be in condition for allowance, which

allowance is respectfully requested. The Commissioner is authorized to charge any fees that

may be required in connection with this response to Deposit Account No. 50-0521 for any matter

in connection with this response, including any fee for extension, which may be required.

Respectfully submitted,

mak w. ~

Dated: October 21, 2003

Mark W. Rueh

Reg. No. 43,896

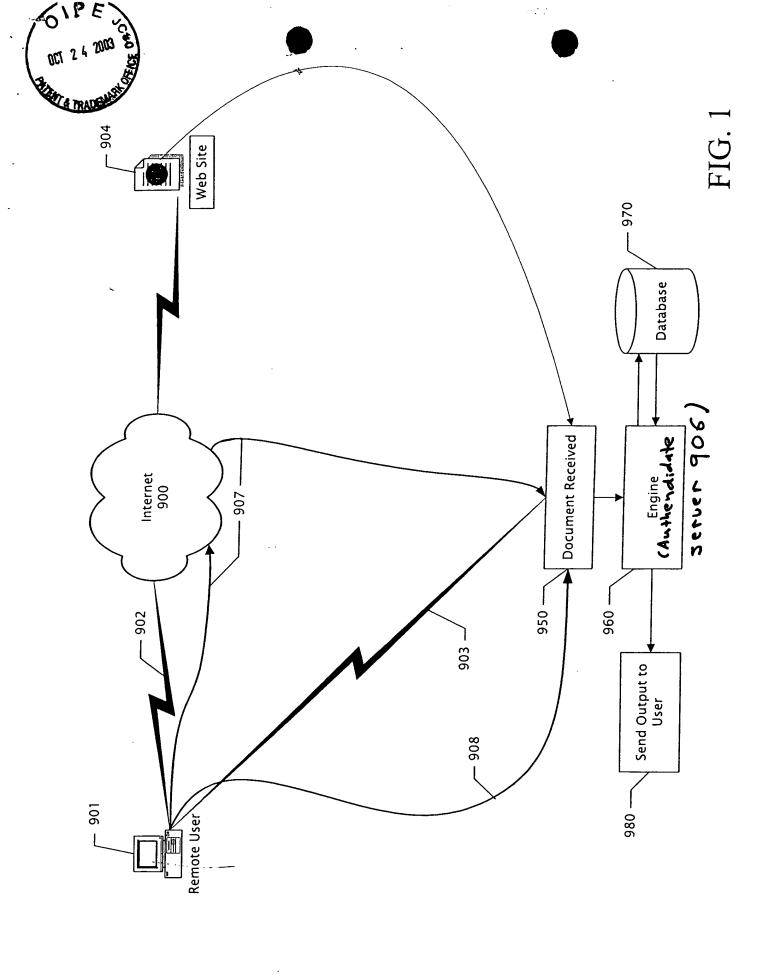
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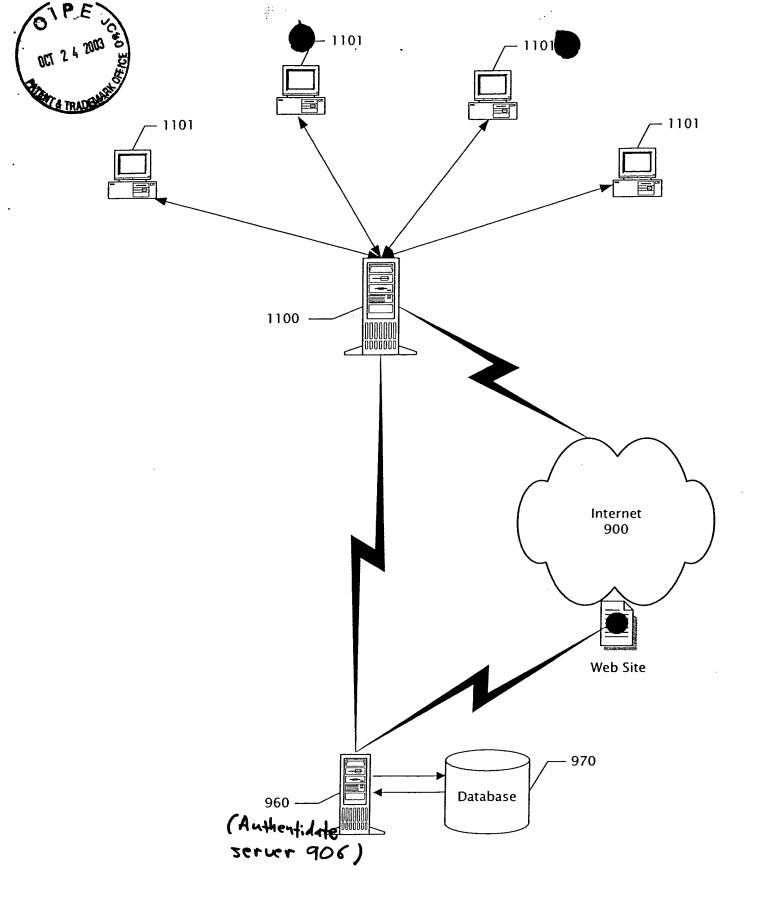


Fig. 3